

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Mark Albert REGA

Defendant

Magistrate Case No.

07 MJ 235

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
Transportation of Illegal
Aliens

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **September 28, 2007**, within the Southern District of California, defendant **Mark Albert REGA** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Alfonzo VILLALBA-Bautista**, **Jasier MORAN-Rocha**, and **Jonathon MORAN-Rocha** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

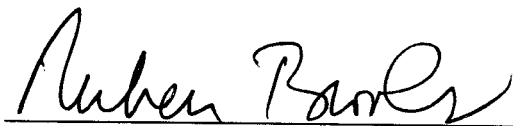


SIGNATURE OF COMPLAINANT

Terri L. Dimolios

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 1st DAY OF OCTOBER, 2007



Ruben B. Brooks

UNITED STATES MAGISTRATE JUDGE

Mark Albert REGA

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

Furthermore, the complainant states that **Alfonzo VILLALBA-Bautista, Jasier MORAN-Rocha, and Jonathon MORAN-Rocha** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On September 28, 2007 Supervisory Border Patrol Agent Ransom was performing assigned duties in the area of Dulzura, California. At approximately 6:30 p.m., while driving eastbound on State Route 94, one mile east of the Border Patrol Checkpoint, Agent Ransom came upon a gold Ford Explorer parked on the north shoulder of the road in an area known as the "Gasoline Curves". This area is frequently used as a drop off point for illegal aliens attempting to circumvent the Border Patrol checkpoint. As Agent Ransom pulled over alongside the Explorer, he saw people exiting the vehicle and running north into the creek bed.

The driver, defendant **Mark Albert REGA**, made no attempt to exit the vehicle and remained seated in the driver seat. Agent Ransom placed the defendant into custody for suspicion of alien smuggling and waited for backup before pursuing the fleeing suspected aliens. When backup arrived Agents Ransom and Zimmer pursued the group and apprehended 8 people. Upon being queried as to their immigration status all admitted to being citizens of Mexico illegally present in the United States. The defendant and the 8 aliens were taken into custody and transported to the Border Patrol Checkpoint on State Route 94 for processing.

DEFENDANT STATEMENT:

The defendant was advised of his Miranda rights and was willing to answer questions without an attorney present. The defendant stated that he was driving westbound on State 94 Route near Potrero, California when a couple of Hispanic males standing on the side of the road flagged him down. The defendant claims that they asked him for a ride and when they opened the doors a bunch of people just jumped in. The defendant then drove west on State Route 94 towards the Border Patrol Checkpoint. The defendant then stated that just before the checkpoint an unknown male in the car told him to pull over so that they could get out.


The defendant stated that he had just pulled over when the Border Patrol showed up. The defendant admitted knowing that the people getting into his car were illegal aliens but he claims he was just helping them out for "humanitarian" reasons. The defendant stated that he did not ask the aliens for any money on this occasion but he admitted to alien smuggling in the past for financial gain. The defendant also acknowledged his criminal history to include his prior arrests for alien smuggling.

CONTINUATION OF COMPLAINT:**Mark Albert REGA****MATERIAL WITNESSES STATEMENTS:**

Material Witnesses **Alfonzo VILLALBA-Bautista, Jasier MORAN-Rocha, and Jonathon MORAN-Rocha** stated that they are citizens and nationals of Mexico illegally present in the United States. They stated that they did not have any immigration documents allowing them to be or remain in the United States legally. They admitted to entering the country illegally near Tecate, California.


They stated that arrangements had been made in Mexico to be smuggled to various parts of the United States for a fee ranging between \$1,000.00 to \$1,500.00 U.S. dollars. All the material witnesses stated that they walked north for several hours until they arrived at a designated location. Within a short period of time, they saw a vehicle arrive and the driver motioned for them to get in. They traveled for a while until the driver pulled over and they were apprehended by the Border Patrol.

Executed on September 30, 2007, at 9:30 a.m.



Raul Castorena
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 2 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **September 28, 2007**, in violation of Title 8, United States Code, Section 1324.



Ruben B. Brooks
United States Magistrate Judge

9/30/2007 at 11:50 a.m.
Date/Time